

PARENTS

Every year, parents struggle with the idea of their teens attending prom and graduation parties where there may be alcohol.

High school graduation is the beginning of the next stage of your child's life—and there are many life experiences for you still to share: college, athletics, career, weddings and grandchildren.

Underage drinking can destroy those dreams.

Your teen still needs your support and guidance—**please don't encourage underage drinking.**

**NORTH
DAKOTA
IS
RANKED #1
IN THE
NATION**

for having the highest binge drinking rate
among 18-25-years-olds.*

* Source: 2005-2006 National Survey on Drug Use and Health (NSDUH)

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OFFICE OF ATTORNEY GENERAL



north dakota
**department of
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The Division of Mental Health
and Substance Abuse Services



Office of Juvenile Justice
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Office of Justice Programs U.S. Department of Justice

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Illustration by: Simeon Nelson

WHERE'S THE PARTY?



NORTH DAKOTA'S "SOCIAL HOST" AND UNDERAGE DRINKING LAWS



The legal drinking age is **21**.

It is **illegal** to give alcohol to **your own children** if they are under 21.

It is illegal to provide alcohol to underage guests or to allow them to drink alcohol **in your home or on your property**.

Taking the **car keys** from underage guests might stop drunk driving but doesn't make it okay for them to drink. It doesn't prevent fights, stop sexual assault, theft, property damage...

If an underage guest becomes very ill or dies from alcohol poisoning, **you can be charged with a crime**. You will have to face that **child's parents**.

If you **rent a hotel room** for your teens to hold a party and alcohol is involved, you could be **held responsible for anything that happens**.

An alcohol-related conviction can result in a student **losing college scholarships** or being disqualified from **federal student loans**.

CRIMINAL PENALTIES

If you knowingly provide alcohol to underage individuals, you are committing a **crime** for which you can be **fined and jailed**.

CIVIL LIABILITY

If you host a party at which there is alcohol, your responsibility and liability **don't end when the party ends**.

In addition to criminal penalties, under North Dakota's "social host" laws, you can be **held liable for damages or injuries** that an underage guest causes while under the influence of alcohol.

For example, if an underage drinker leaves the party and gets into a traffic accident causing injury to another person, **the injured person can sue you**. If the injured person dies, the family can sue.

If you are sued, it may be up to a jury to decide how much you will have to pay.

And, if you knowingly broke the law, you most likely will not be covered by **your homeowner's insurance policy**.

ALCOHOL OFFENSES

Individuals under age 18 may be charged in juvenile court. For those over 18, the penalties are:

- **Under 21 purchasing or attempting to purchase alcohol:** B-Misdemeanor
- **Using fake ID to purchase alcohol:** B-Misdemeanor
- **Minor in Possession** (caught with alcohol): B-Misdemeanor prior to 8:00 am on **21st birthday**
- **Minor in Consumption** B-Misdemeanor prior to 8:00 am on **21st birthday**
- **Contributing to the Delinquency of a Minor** (providing alcohol to a person under 18): A-Misdemeanor
- **Delivery of Alcohol** (providing alcohol to age 18-20): A-Misdemeanor
- **Driving Under the Influence/Actual Physical Control:** Administrative **and** criminal penalties. Those under 18 may have driver's license canceled. **18-20** with BAC (Blood Alcohol Content) of **.02** or greater (zero tolerance) is 91 days suspension **and** 1st offense DUI/APC is a B-Misdemeanor

Definition of Criminal Offenses

A-Misdemeanor: Maximum penalty is one year imprisonment, a fine of \$2,000 or both

B-Misdemeanor: Maximum penalty is 30 days imprisonment, a fine of \$1,000 or both